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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,194	09/16/2003	Chris Stolte	061127-0005US	7148
24341 7590 09/25/2009 MORGAN, LEWIS & BOCKIUS, LLP. (PA) 2 PALO ALTO SQUARE 3000 EL CAMINO REAL., SUITE 700 PALO ALTO, CA 94306				
EXAMINER FILIPCZYK, MARCIN R				
ART UNIT 2158		PAPER NUMBER		
MAIL DATE 09/25/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/667,194

Applicant(s)

STOLTE ET AL.

Examiner

MARC R. FILIPCZYK

Art Unit

2158

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 91-135 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 91-135 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)
Paper No(s)/Mail Date 8/7/09
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

This action is responsive to Applicant's RCE request and amendment filed on August 7, 2009. Claims 91-135 are pending.

To expedite the process of examination Examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. amendments, 35 U.S.C. 112, objections and the like) set forth by the Examiner that Applicants provide and link to the most specific page and line numbers of the disclosure where the best support is found (see 35 U.S.C. 132).

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/7/09 has been entered.

Information Disclosure Statement (IDS)

The IDS received on 8/7/09 has been considered except for one entry missing a date for the given document.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for

patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 91-135 are rejected under 35 U.S.C. 102(e) as being anticipated by Barg et al
(U.S. Patent No. 6,707,454).

Regarding claim 91, Barg discloses a computer implemented method comprising:

At a computer having one or more processors and memory storing programs executed by
the one or more processors: (fig. 29 and related text)

displaying a graphical user interface (GUI) window for visualizing a dataset having a
hierarchical dimension, wherein the hierarchical dimension includes a first dimension level and a
second dimension level, the GUI window including a schema display region and a data
visualization region, wherein (fig. 2, items 110 and 122, col. 6, lines 18-67, specifically
Dimensional view and Multiscape view):

the schema display region includes metadata describing a hierarchical structure of the
dataset including the first dimension level and the second dimensions level (figs. 1 and 2, and
col. 6, lines 18-35, measure and dimensions, also see fig. 6, items 501, 502, 512, 518 and 520,
user may change perspective (measure), arrange by color, rows or columns, data which includes
metadata), and

the data visualization region includes a first axis shelf, a second axis shelf, and a visual
table (fig. 2, items 110 and 122, col. 6, lines 18-67, specifically *Dimensional view and
Multiscape view*);

detecting user requests to associate the metadata identifying the first and second dimension levels in the schema display region with either the first axis shelf or the second axis shelf, respectively (fig. 2, col. 5, lines 52-62); and

in response to the user requests, forming in the visual table a plurality of panes (fig. 2, items 110, 112 and 122), each pane having a first axis corresponding to the dimension level associated with the first axis shelf and a second axis corresponding to the dimension level associated with the second axis (fig. 2, items 110 and 122, col. 8, lines 49-54). In addition, Barg discloses changing a variable such as the dimension (col. 13, lines 12-17), select measures such as profits (col. 13, lines 18-23), arrange rows and columns (col. 13, lines 39-44), add, subtract, exclude and restore portions of displayed regions and populating data (figs. 1 and 2 and col. 13, lines 49-63), and all the options listed on figures 6 and 7 including focusing in on detailed data.

Regarding claim 92, Barg teaches the schema display region is generated by:
identifying one or more dimensions from the dataset;
generating an ordered list of dimension levels for at least one of the identified dimensions (figs. 1 and 2, formulating views of data stored in cells using dimensions); and
displaying the dimensions and their associated ordered lists of dimension levels in the schema display region (figs. 1 and 2, formulating views of data stored in cells using dimensions, for details see col. 1, lines 60 to col. 2, line 67).

Regarding claim 93, Barg teaches:
identifying one or more measures from the dataset;

generating an ordered list of the identified measures (figs. 1 and 2, organizing information); and

displaying the ordered list of measures in the schema display region (figs. 1 and 2, organizing information along a sequence of categories, for details see col. 1, lines 60 to col. 2, line 67).

Regarding claim 94, Barg teaches displaying an icon (fig. 2, item 110, bar chart) for the first dimension level in the metadata display region;

detecting a user selection of the icon in the schema display region;

detecting a user selection of the first axis shelf in the data visualization region; and

moving a copy of the icon (bar chart) from the schema display region into the first axis shelf in the data visualization region (fig. 2, items 110 and 122, col. 6, lines 18-67, specifically *Dimensional view and Multiscape view*):

Regarding claim 95, Barg teaches populating each pane in the visual table with at least a subset of the dataset in accordance with the arrangement of the first and second axis (figs. 2, 6 and 7, items 110, 122, 501, 502, 512, 514, 517 and 518, col. 6, lines 4-11 and 18-67 and relevant text).

Regarding claim 96, Barg teaches wherein populating the visual plot further includes:

dividing the subset of the dataset into a plurality sub-subsets, respectively (figs. 2 and 6 and 7, col. 6, lines 4-12, col. 13, lines 28-34, col. 14, lines 33-47);

generating a mark in a respective pane for each data record associated with the pane, wherein the mark is positioned along the first axis of the pane in accordance with the corresponding data value associated with the first dimensions level and the mark is positioned along the first axis of the pane in accordance with the corresponding data value associated with the second dimension level (fig. 2, items 110, 112 and 122 and related text).

Regarding claims 97, Barg teaches wherein the populating the visual table further includes:

constructing a visual specification, wherein the visual specification defines a mapping from the dataset to each pane in the visual table (figs. 2 and 6, items 110, 112, 122 and 501); and retrieving data records from the dataset in accordance with the visual specification (fig. 6, item 504, col. 13, lines 18-23).

Regarding claim 98, Barg teaches the first axis is in horizontal direction and the second axis is in the vertical direction (fig. 2, *product*, *product type and state*).

Regarding claim 99, Barg teaches the hierarchical dimension is time and the first level is higher than the second level in the natural hierarchy of time (figs. 1 and 2 and col. 2, lines 15-24).

Regarding claim 100, Barg teaches the hierarchical dimension is location and the first level is higher than the second level in the natural hierarchy of location (fig. 2, State, Region, hierarchy, and col. 2, lines 15-24).

Regarding claim 101, Barg teaches the hierarchical dimension is product and the first level is higher than the second level in the natural hierarchy of product (fig. 2, Product Tea, hierarchy and col. 2, lines 15-24).

Regarding claim 126, Barg teaches the dataset is a hierarchical multidimensional OLAP data cube (fig. 2, *cube* and related text).

Regarding claim 127, Barg teaches three dimension levels having a natural order, and wherein first axis of each pane corresponds to the first and third dimension levels and second axis of each pane corresponds to the second dimension level (figs. 2, 6 and 7, cube and col. 8, lines 47-54).

With regard to claims 102-125 and 128-135, they comprise substantially the same limitations as rejected claims 91-101, 126 and 127, and are therefore rejected on the same merits.

Response to Arguments

Applicant's arguments filed August 7, 2009 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Applicant argues that the amended claims are enabling.

Examiner agrees.

A. Applicant argues that Barg does not disclose schema display.

Barg clearly discloses schema display in figures 2, 6 and 7, where fig. 2 displays 2 and 3 dimensional data sets, and the schema is broken down in items 112, product, state and product type.

B. Applicant argues that Barg does not teach detecting user requests to associate metadata with schema display, hence does not teach two levels of the same hierarchy dimension appearing at different axes (x and y) of the same visual plot.

Examiner disagrees.

Barg teaches all the claimed limitations including manipulating axis and displaying different views (see figs. 2, 6, 7, item 112 and col. 16, lines 23-36) using different metadata, such as color or other criteria. Figure 6 further illustrates changing perspective, colors, columns, rows, toggle data and display preferences. All these changes of metadata will result in different result set and display.

C. Applicant argues that Barg does not teach multiple panes as claimed.

Examiner disagrees. The above described different views based on selecting metadata and data manipulation display data using different panes.

With respect to all the pending claims 91-135, Examiner respectfully traverses Applicants assertion based on the discussion and rejection cited above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARC R. FILIPCZYK whose telephone number is (571)272-4019. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on 571-272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad Ali/
Supervisory Patent Examiner, Art Unit 2158

MF
September 18, 2009
/Marc R Filipczyk/
Examiner, Art Unit 2158